

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 07-26-SLR
	:	
EARL WALLACE,	:	
	:	
Defendant.	:	
	:	

**MOTION FOR CONTINUANCE OF CHANGE OF PLEA HEARING**

Defendant, Earl Wallace, by and through his undersigned counsel, Eleni Kousoulis, hereby moves this Court for an Order rescheduling the change of plea hearing in this case.

In support of the motion, the defense submits as follows:

1. A change of plea hearing is currently scheduled in the above-captioned matter for February 26, 2008, at 4:30 p.m.

2. Mr. Wallace was in a car accident on February 22, 2008. As of the date of this motion, Mr. Wallace is still suffering lingering effects of the accident, including dizziness, headaches, and pain from the injuries he received in the accident. Given the factors involved in entering a guilty plea and the rights being waived when pleading guilty, it is important that Mr. Wallace be in the proper state of mind at the time of his change of plea hearing. For this reason, the defense respectfully requests that Mr. Wallace's change of plea hearing be continued to allow him time to recover from his accident and to be in a better frame of mind to enter a guilty plea.

3. Assistant United States Attorney, Shawn Weede, has no objection to the defense's request for a continuance.

4. Defense counsel has spoken to the Court's chambers and was informed that the Court has available Wednesday, March 5, 2008, at 5:00 p.m., at which time to conduct the change of plea hearing in this case.

5. The defense agrees to waive any time, pursuant to the Speedy Trial Act, between now and the date of the re-scheduled hearing.

**WHEREFORE**, for these reasons and any other such reasons as shall appear to the Court, the defense respectfully requests that the Court reschedule the change of plea hearing in this case to March 5, 2008, at 5:00 p.m.

Respectfully Submitted,

/s/  
Eleni Kousoulis, Esquire  
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Attorney for Defendant Earl Wallace

Dated: February 25, 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
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v.	:	Criminal Action No. 07-26-SLR
	:	
EARL WALLACE,	:	
	:	
Defendant.	:	

**ORDER**

Having considered Defendant's Motion for Continuance of the Change of Plea Hearing,  
**IT IS HEREBY ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008, that Defendant's  
change of plea hearing shall be scheduled on the \_\_\_\_\_ day of \_\_\_\_\_, 2008,  
and that the time between the date of this Order and the date of the rescheduled hearing be  
excludable under the Speedy Trial Act (18 U.S.C. § 3161, *et seq.*).

\_\_\_\_\_  
**HONORABLE SUE L. ROBINSON**  
United States District Court